

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

MICHAEL MORGAN and LIBERTY  
RISK CONSULTING, LLC, and  
INFLUENCED EDGE, LLC,

Plaintiffs,

v.

AMY NOSS, KEITH HICKEY,  
JOYCE MORGAN, BRITTANY  
PADUGANAN, and ETBP  
ENTERPRISES, LLC d/b/a  
THRIVE TALENT  
MANAGEMENT,

Defendants.

Civil Action

No. 2:22-cv-1631

Magistrate Judge Lenihan

**DECLARATION OF BRITTANY PADUGANAN**

I, Brittany Paduganan, make the following declaration:

1. At all times relevant to the allegations in the Amended Complaint in this matter, I have been a citizen of either Arizona or California.
2. I have never resided in, or been a citizen of, Pennsylvania.
3. I have not entered the state of Pennsylvania related to any event, transaction, or occurrence alleged in the Amended Complaint.
4. Any statements I made about Michael Morgan, Liberty Risk Consulting, and/or Influenced Edge, LLC<sup>1</sup> on the internet social media platforms Instagram and/or Twitter were made while I was in states other than Pennsylvania. These statements could be read by anyone in the world who accessed by Instagram or Twitter accounts. I did not direct my statements toward any particular reader in Pennsylvania.

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<sup>1</sup> I reserve all substantive legal defenses to Plaintiffs' claims of defamation per se, defamation, and trade libel.

5. The professional community of adult entertainment of which Plaintiffs and I are members is nationwide or worldwide. The community is not centered in Pennsylvania and has no unique relationship with Pennsylvania.

6. I am the sole member of ETBP Enterprises, LLC, d/b/a Thrive Talent Management (“Thrive”), a Delaware limited liability company with a principal place of business located in Arizona.

7. Thrive conducts business over the internet, primarily managing online accounts.

8. Thrive has never been incorporated in Pennsylvania, nor has it had a place of business—principal or otherwise—in Pennsylvania.

9. Thrive is not registered to do business in Pennsylvania.

10. To the best of my knowledge, Thrive has never had any clients in Pennsylvania.

11. To the best of my knowledge, Thrive has only served one former client of any Plaintiff, and that client did not and does not live in Pennsylvania.

12. Thrive has never had any employees, as opposed to independent contractors, in Pennsylvania.

13. Thrive has an independent contractor relationship with some individuals who reside in Pennsylvania, including Keith Hickey and Joyce Morgan. Thrive also previously had an independent contractor relationship with Amy Noss and with Alysa DeGeorge. All independent contractors in Pennsylvania work remotely through the internet using their own equipment, and may work from any location they wish. Neither I nor Thrive hired them as independent contractors because of their contacts with Pennsylvania. Rather, their residence is and was incidental to their work.

14. I have never directed or encouraged Mr. Hickey, Ms. Morgan, Ms. Noss, Ms. DeGeorge, nor any other person to take or use any property or electronic information from Plaintiffs, in Pennsylvania or otherwise.

15. I am not aware of Mr. Hickey, Ms. Morgan, Ms. Noss, or any other contractor or employee of Thrive using any of Plaintiffs' confidential or proprietary information for Thrive's benefit or my personal benefit, either in Pennsylvania or otherwise.

I declare under penalty of perjury that the foregoing statements are true to the best of my knowledge, information, and belief.

**2/15/23**

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Date

A handwritten signature in black ink, appearing to read 'Brittany Paduganan', written over a horizontal line.

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Brittany Paduganan